

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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MIDWESTERN HOLDINGS, LLC

Plaintiff,

v.

EASTERN ROOFING SYSTEMS, INC.,

Defendant.

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**STIPULATION OF  
DISMISSAL  
(WITHOUT PREJUDICE)**


Civil Action No.  
3:11-cv-00590 (GTS/ATB)

**STIPULATED** by and between the undersigned, the attorneys of record for all the parties to the above-entitled action, that whereas no party hereto is an infant, incompetent person for whom a committee has been appointed or conservatee and no person not a party has an interest in the subject matter of the action, the above-entitled action be, and the same hereby is dismissed without prejudice and without costs to either party as against the other.

This stipulation may be filed without further notice with the Clerk of the Court.

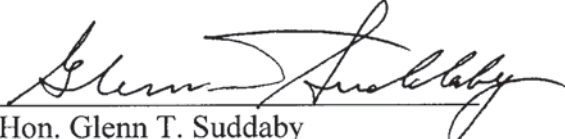
  
COUGHLIN & GERHART, L.L.P.  
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September 20, 2011

  
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September 19<sup>th</sup>, 2011

IT IS SO ORDERED:

  
Hon. Glenn T. Suddaby  
U.S. District Judge  
Dated: September 21, 2011  
Syracuse, NY